

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NEW MEXICO HEALTH CONNECTIONS,
a New Mexico Non-Profit Corporation,

Plaintiff,

v.

Civil Case No. 1:16-cv-00878 JB/WPL

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES; CENTERS FOR
MEDICARE AND MEDICAID SERVICES;
THOMAS E. PRICE, M.D., Secretary of the United
States Department of Health and Human Services, in
his official capacity; and SEEMA VERMA,
Administrator for the Centers for Medicare and
Medicaid Services, in her official capacity,

Defendants.

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

COMES NOW Plaintiff, New Mexico Health Connections ("NMHC"), and pursuant to Fed. R. Civ. P. 56 and the Scheduling Order [Doc. 23], hereby moves the Court for summary judgment as to Plaintiff's claims for declaratory and injunctive relief. The grounds for NMHC's Motion for Summary Judgment, and the arguments and authorities in support of the Motion, are set out in NMHC's Memorandum in Support and Exhibits filed contemporaneously with this Motion.

LONG, KOMER & ASSOCIATES, PA

/s/ Nancy R. Long _____

Nancy R. Long
2200 Brothers Road/PO Box 5098
Santa Fe, NM 87502
(505) 982-8405
nancy@longkomer.com
email@longkomer.com
vmarco@longkomer.com

Barak A. Bassman
Sara B. Richman
Leah Greenberg Katz
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
215-981-4000
bassmanb@pepperlaw.com
richmans@pepperlaw.com
katzl@pepperlaw.com

Marc D. Machlin (*pro hac vice to be filed*)
PEPPER HAMILTON LLP
Hamilton Square
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
202-220-1200
machlinm@pepperlaw.com

Attorneys for Plaintiff

Certificate of Service

I hereby certify that on this 13th day of April, 2017, I filed the foregoing Motion for Summary Judgment electronically through the CM/ECF system, which caused counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic filing.

/s/ Nancy R. Long
Nancy R. Long